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at last breaks into the devouring flames of vengeance. A Hyder Ali, a Philip, a Tecumseh, an Osseola, "in the gloomy recesses of mind capacious of such things," resolve to exert that power which they feel themselves about to lose by remaining at peace, in making their fancied enemies feel the fury of their direst passions. Then are plied the spear, the javelin, the tomahawk, the cannon, the musket, the pistol, the bayonet; fire, sword, and famine, reign lords of the ascendant; and at length when the force of arms is spent; and the arts of diplomacy are exhausted so that not even a Talleyrand could do more, recourse is had, perhaps, to the simple power of honesty. This can mitigate the horrors, this can assuage the miseries which, if it had been early tried, would never have existed.

Amid the scenes of contention and violence with which earth is filled, there now and then appear, a William Penn, a Frederick Swartz, and with a spell like the fabled spell of music upon the beasts of the desert, soothing the fierce passions of the fiercest men :—

"Tum, pietate gravem ac meritis, si forte virum quem  
Conspexere, silent, arrectisque auribus adstant;  
Iste regit animos, et pectora mulcet."

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### ARTICLE III.

#### BRITISH RELATIONS WITH CHINA.

BY WILLIAM N. MATSON, ESQ., HARTFORD, CONN.

THE peculiar policy of China in excluding other nations from her ports has long been submitted to by nations far more powerful than herself. It seems to have been universally admitted by the governments of Europe, that the Chinese government, as an independent sovereignty, has a right to prescribe

the terms of its intercourse with others, or even to prohibit such intercourse altogether.

This doctrine seems hitherto to have been undisputed. But recently we have seen certain new views set forth, dangerous in their tendency, we believe, to the peace of the world, and incompatible alike with the precepts of natural justice and acknowledged law. To advocate the cause of peace, is, in our view, to advocate the principles of a sound national morality,—to aid in forming the national conscience, to seize upon occasions as they arise, of pointing out the duties which nations owe to each other, and to urge their performance. We therefore deem an examination of the views expressed in the following article from the columns of one of our principal religious journals, highly appropriate to the design of this work :—

**BRITISH RELATIONS WITH CHINA.**—The question, what are to be the future relations of China with the civilized nations of the west, is of deep interest on other grounds besides those of commercial advantages to be gained or lost. A free trade with the Chinese seaports must afford channels of access to the nation, of which Christian enterprise will not fail immediately to avail itself. If, while all the ports but one are shut, and all the terrors of law are interposed to prevent intercourse with foreigners, a Gutzlaff has been able to communicate with hundreds of the inhabitants, and to circulate among them millions of tracts and of portions of the Scripture, what may we not expect, when a public treaty shall throw open the whole coast to foreign trade?

But there are great obstacles to such a treaty. Not on the part of the body of the nation; for they are desirous of it, and so much disposed to trade with foreigners, that they do it, even now, at the risk of liberty and even of their lives. But the policy of the government has ever been opposed to it, and its despotic character renders the wishes of the nation as nothing in the question. The Emperor, as the Son of Heaven, rules *jure divino*—China is the Celestial Empire; foreigners are all barbarians, entitled to nothing but contempt and banishment, and if allowed any degree of intercourse, it is by sufferance, out of compassion to their poverty and misery, and as an act of grace and clemency from the Son of Heaven. All applications on the part of European nations, for free trade and intercourse have been rejected, and for the most part with every mark of indignity. But of late, vessels, both British and American, have entered some of the ports on the eastern coast, in face of the law, have been welcomed by the inhabitants, and have traded in the article of *opium*, to a great extent and with immense profits. The fact is well known to the government, and has produced much alarm; for, with all its pride, the Chinese government knows its

own utter weakness. It is universally admitted on the spot, that it does not own a ship or a regiment which could stand, for a moment, before European troops or ships of war. Indeed the approach of a single unarmed merchantman to the town of *Shangtung* produced an inquiry from the Emperor to the Governor of the adjoining province of Cheihle, whether it would not be necessary to fortify the mouth of the Pihho.

In this posture of things the question is discussed in the Chinese Repository, in what manner the British Government ought to proceed, in order to obtain a commercial treaty? And it is suggested, 1st. That it can never be obtained by cringing submission and humble entreaty. This has been tried in vain by the Portuguese, Dutch, and even by the Russians. This last nation has indeed a sort of treaty, and residents at Peking, but they are watched as spies, and treated with indignity. Nor have the previous embassies of Great Britain herself, met with better success. It is therefore insisted that the Government is to be approached in a tone of demand, and with a demonstration of force, though without any serious intention to use it. This, it is said, will be all sufficient to ensure acquiescence. The Chinese government is aptly compared to a village cur; "the little animal barks furiously, pursues, and tries to bite the stranger who is unprovided with a stick, particularly if he runs; but, when he turns round, the cur draws back; if he lifts his stick, the cur flies; if he actually strikes, the cur becomes more cautious in future not to be the aggressor, and even seeks to conciliate the offended party by fawning, wagging his tail, and licking the hand that gave the blow."

The government having been brought to listen, the next step is to obtain a full acknowledgment of Great Britain as an independent state. For in the imperial records it holds at present, as do all barbarian powers, the rank of a dependent, tributary province of the Celestial Empire, not so respectable as Corea, Siam, &c. In the next place the constant residence of a minister at Peking is to be insisted on. Then a fixed tariff, publicly known and understood; with the total abolition of the Cohong system, which leaves commerce in the hands of the "mandarin merchants," as they are called. Then the admission of British vessels at every port where there is a custom house, together with free intercourse with the natives and unrestricted locomotion; and finally the prohibition of all insulting edicts.

A treaty with these outlines, it is said, can be obtained, if firmly demanded, without the necessity of any actual force or bloodshed. The appearance of a few frigates and sloops of war upon the coast is all that is recommended as necessary.

And then as to the question of right; it is contended that the Chinese Government has no right, against the wishes of the entire nation, against reason, and the evident good of the country, to prohibit all social intercourse with nations holding peaceful relations to it. And that, as this government refuses to observe the principles of international law towards other nations, those nations are under no obligation to observe those laws towards it. And it is insisted, that Great Britain ought no longer to submit to be treated as a feeble tributary province, and allow her citizens to be treated with indignity and oppression, by a semi-barbarous and despotic

government, which would shrink in a moment from the demonstration of her power, though not a shot would be fired.

Such are the views maintained by an able writer on the spot and who states his facts with the fearlessness of one who cannot be contradicted. Should views like these prevail in the British Cabinet, the most important consequences may be expected to the future prospects, not only of our own commercial interests, but of the success of the mission cause, and the rapid extension of Messiah's dominion in the eastern world."

The conduct of the intrepid Gutzlaff in penetrating the Chinese Empire, as a Christian Missionary, no Christian can call in question. He derived his authority from a power superior to all human law. "Go ye into all the world and preach the gospel to every creature," is more imperative than the edict of king or emperor. The law which Gutzlaff obeyed, was the law of God, the law which he violated was the law of man.

But questions of trade and commerce are entirely another matter. Here man stands against man. The British Government and the Chinese Government are on equal ground. It is admitted by the very fact of treating with the Chinese Government, that it is a real Government—possessing authority to treat, and to bind the nation to the performance of treaties. It must also be admitted that it possesses power to decline, if it sees fit, the making of treaties. To treat with a government which has no right to choose whether it will treat or not, is a mockery. It is treating with that which is no government at all.

But observe the course which the writer of the article in the Chinese Repository proposes to be pursued, for the purpose of inducing the Chinese government to enter into a commercial treaty with the British government.

1st. "The government is to be approached in a tone of demand, and with a demonstration of force, though without any serious intention to use it."

A novel mode this, of treaty making—sometimes indeed practised on the highway, by gentlemen whose gallant diplomacy seldom fails for want of demonstration of cutlass and pistol. Why has it not been resorted to before? Why have the Portuguese, the Dutch, and even the Russians, employed

cringing submission and humble entreaty? Why has Britain, with her commercial ambition, and her pride of power, submitted so long to be shut out from a field so rich in promise? Has it been from fear; or from respect to certain principles of international law, whose observance has been deemed of more importance than the gratification of her own pride, and all the wealth to be derived from unrestricted trade with China.

"The government is to be approached with a demonstration of force," says the writer, "though without any serious intention to use it." But is it certain that a mere demonstration of force will accomplish the object proposed? If China would resist any thing, it would be the abolition of institutions which, the world acknowledges, have constituted her chief defence from time immemorial, amid the incessant tottering and fall of surrounding nations.

And in case of resistance will England leave it at the option of China to treat or not to treat, call home her ships of war, and leave a field affording such commercial advantages and such opportunities for "christian enterprise," amid the sneers of the world? And why not use it? Is it because deception, stratagem, is more justifiable than force? Should China even be induced by a "demonstration of force" to enter into the proposed treaty, she would not be morally bound to abide by it. The analogous rule of municipal law is well known. Contracts made under compulsion are not binding.\*

Great Britain, it must also be remembered, in adopting the course proposed, sets an example to the world. She is to make a demonstration of force, but in doing so, not a single gun is to be fired. This would be wrong. We can conceive of no other way in which she can be sure that it will not be done than by putting the means of doing it out of the power of the brave officers in command—the veterans who have fought their way to promotion, and the young noblemen who have arrived at it, no matter how—men unused to contradiction and insult, and little likely to brook either. Instead therefore of the

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\*Blackstone's Comm. Vol. I. p. 132.

thunder-mouthed engines of death, dumb blocks of wood darken the port-holes of her war ships, which are forthwith seen hovering near the coasts of China. Junks and war boats scatter like minnows. When news of the arrival reaches the land, the soldiery, with their paper helmets, quilted petticoats, and fans, needlessly betake themselves to flight. Perhaps a trembling mandarin is secured, and the plenipotentiary sets about convincing him of the tremendous power of England. He takes him from ship to ship, points to the lowering port-holes, descants upon the magnificent exploits of his countrymen—describes sunken navies and demolished towns—the battles of Copenhagen and the Nile.

The treaty at length concluded, the “mariners of England” retire. But the matter does not stop here. There is a nation little, if at all inferior to England in a spirit of benevolence and commercial enterprise. Her watchful eye discovers the channel to these objects which England has opened for herself, by a demonstration of force. Or perhaps the conditions of the treaty with England are unsatisfactory, or the tariff may bear heavily upon her commerce, (and she has always been sensitive upon the subject of foreign interference with the tea-trade;) she resolves upon following England’s example, and straitway the star-spangled banner waves from American war-ships in the harbours of China. Her argument is a short one. “You were awed by the power of England,” our ambassador would say, and recount the victories of Perry, Hull, and M'Donough.

The benevolent emotions of France too, are awakened for China; or, she acquires a taste for birds nests, and other oriental delicacies, and becoming eager for a commercial treaty, the *tricolore* succeeds to the American flag before the celestial cities! France scarcely leaves China to repose, before Holland, Denmark, and Russia, have discovered what virtue there is in intimidation; and last of all Turkey thinking China too close against her opium, and lost in golden dreams of benevolence and commercial advantage, sends the *crescent* to float over the Yellow Sea, making to China a demonstration of Ottoman force.

But unable, perhaps, to succeed by a "demonstration of force," each of these powers actually employs it, until at length it comes to be an established principle of international law that a nation which refuses to make a treaty, may be intimidated into it by a demonstration of force—and if that be insufficient, compelled by arms. And what is the next step? A nation which will not buy of us, and sell to us, on our own terms, may be compelled to do so.

"The government having been brought to listen," says the writer, "the next step is to obtain a full acknowledgment of Great Britain as an independent state. For in the imperial records it holds at present, as do all barbarian powers, the rank of a dependent, tributary province of the celestial empire, not so respectable as Corea, Siam, &c.

Does this ridiculous pretension of the Chinese government affect Great Britain, so long as she declines to have any intercourse with China? Does China attempt to make her pay tribute? If not, why trouble herself about the imperial records? If Great Britain is not pleased with holding intercourse with a nation which regards her in such light, she can easily withdraw from it. She has no more right to make a demonstration of force, to frighten the Chinese government to erase the offensive article from the imperial records, than she has to frighten it into the acknowledgment that *Taou Kwang* is not the "Son of Heaven."

"In the next place the constant residence of a minister at Peking is to be insisted on. Then, a fixed tariff publicly known, and understood, with the abolition of the present Cohong system, &c."

The Cohong merchants alone have the privilege of trading with Europeans, and are responsible for the conduct of those with whom they trade. As a parallel to this the English East India Company, for almost two centuries, and a half, had the sole privilege of trading in British India and were rarely held to account for their *own* conduct; excluding their fellow subjects from the commerce of nearly half the globe.

"Then the admission of British vessels at every port where

there is a custom house, together with free intercourse with the natives, and unrestricted locomotion ; finally, the prohibition of all insulting edicts."

Why not proceed a step further and fix the percentage of the tariff, specify the articles on which it is to be laid, declare where custom houses shall be built, enact that even the private domicile of a Chinese mandarin shall be open to a subject of Great Britain—and that henceforth the Chinese government shall not only refrain from styling the English king, "Barbarian," but shall most loyally and dutifully term him, His Majesty, of England, Scotland, and Ireland, King, Head of the Church, Defender of the Faith.—Has the Chinese government no right to regulate its own affairs so long as it does not infringe any principle of international law ? And where is the international law violated by a refusal to make a commercial treaty, or by styling Great Britain, a tributary *on the imperial records* ?

But observe the justification of the course proposed by this writer :—

"The Chinese government has no right against the wishes of the entire nation, and the evident good of the country, to prohibit all social intercourse with nations holding peaceful relations to it."

As to the wishes of the entire nation, the writer has stated that "of late vessels, both British and American, have entered some of the ports on the eastern coast, in the face of the law, have been welcomed by the inhabitants and have traded in the article of opium, to a great extent, and with immense profits."

The population of China is two hundred millions ; and agriculture is their chief employment. Now it is by these vessels, visiting a few ports on the eastern coast in the face of the law, we suppose, the wishes of this multitudinous people, scattered over a territory seven millions of square miles in extent, have been ascertained.

That the existing restrictions respecting intercourse with for-

eigners are against reason, and the evident good of the nation, we think is not so clear. That they form an essential part of that system which has preserved China a separate, independent government from time immemorial, no one can doubt. And even the government of China is better than anarchy. Her policy is, and we believe at present can be, but partially understood. Much needs to be known of the nation, much to be said and thought upon the subject—before her hoary institutions are uprooted by foreigners. What would be the effect upon the political condition of the nation, suddenly to throw open every port of this vast empire to foreigners and to foreign trade, may be easily conjectured ; and whether or not it would be for the good of the country, China is at liberty to determine for herself. The principle laid down by Vattel respecting trade and intercourse with foreigners has been universally acknowledged among nations :—

“Every man and every nation being perfectly at liberty to buy a thing that is to be sold, or not to buy it, and to buy it of one rather than of another,—the law of nature gives to no person whatever, any kind of right to sell what belongs to him, to another who does not wish to buy it—neither has any nation the right of selling her commodities or merchandise to a people who are unwilling to have them.

Every state has consequently a right to prohibit the entrance of foreign merchandises, and the nations that are affected by such prohibition have no right to complain of it, as if they had been refused an office of humanity. Their complaints would be ridiculous, since their only ground of complaint would be that a profit is refused to them by that nation who does not choose that they should make it at her expense. \* \* \*

“Let us now distinctly explain the nature of a right which may give room for disputes of a very serious nature. You have a right to buy of others such things as you want, and of which they themselves have no need ; you make application to me :—I am not obliged to sell them to you, if I myself have any occasion for them. In virtue of the natural liberty which

belongs to all men, it is I who am to judge whether I have occasion for them myself or can conveniently sell them to you—and you have no right to determine whether I judge well or ill, because you have no authority over me. If I improperly, and without any good reason, refuse to sell you, at a fair price, what you want, I offend against my duty; you may complain of this, but you must submit to it; and you cannot attempt to force me without violating my natural rights, and doing me an injury. The right of buying the things we want, is then only an imperfect right, like that of a poor man to receive alms of the rich man; if the latter refuses to bestow it, the poor man may justly complain; but he has no right to take it by force.

“Since, then, a nation cannot have a natural right to sell her merchandises to another that is unwilling to purchase them,—since she has only an imperfect right to buy what she wants of others,—since it belongs only to these last to judge whether it be proper for them to sell or not—and, finally, since commerce consists of mutually buying and selling all sorts of commodities,—it is evident that it depends on the *will of any nation to carry on commerce with another, or to let it alone*. If she be willing to allow this to one, it depends on the nation to permit it under *such conditions as she shall think proper*. For in permitting another nation to trade with her she grants that other a right—and every one is at liberty to affix what condition he pleases, to a right which he grants of his own accord. \* \* \*

“Nations as well as individuals are obliged to trade together for the common benefit of the human race, because mankind stand in need of each other’s assistance; still, however, each nation remains at liberty to consider in particular cases whether it be convenient for her to encourage or permit commerce; and as our duty to ourselves, is paramount to our duty to others—if one nation finds herself in such circumstances, that she thinks foreign commerce dangerous to the state, she may *renounce and prohibit it*. *This the Chinese have done for a long time together.*”\*

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\* Vattel—Law of Nations, Book I. page 38—40.

“We have seen that each nation is on her own part, the sole judge, whether or not it be convenient for her to cultivate such or such branch of commerce—she may therefore either embrace or reject any commercial proposals from foreign nations, without affording them any just grounds to accuse her of injustice, or to demand a reason for such refusal, much less to make use of compulsion. She is free in the administration of her affairs, without being accountable to any other. The obligation of trading with other nations, is an imperfect obligation, and gives us only an imperfect right—so that, in cases where commerce would be detrimental, that obligation is entirely void. When the Spaniards attacked the Americans under a pretence that that these people refused to traffic with them, they only endeavoured to throw a colourable veil over their insatiable avarice.”\*

“As every nation has the right, and is disposed to exercise it, of judging for itself, in respect to the policy and extent of its commercial arrangements, the general freedom of trade, however reasonably and strongly it may be inculcated in the modern school of political economy, is but an imperfect right, and necessarily subject to such regulations and restrictions, as each nation may think proper to prescribe for itself. Every state may monopolize as much as it pleases of its own internal and colonial trade, or grant to other nations with whom it deals, such distinctions and particular privileges, as it may deem conducive to its interest. The celebrated English navigation act† of Charles II, contained nothing, said Martens, contrary to the law of nations, notwithstanding it was very embarrassing to other countries. When the United States put an entire stop to their commerce with the world, in December, 1807, by laying a general embargo on their trade, without distinction, as to

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\* Vattel—*Law of Nations*, Book II, page 144.

† By this act, all foreign vessels were prohibited from engaging in the trade between one British port and another, or between any British port and a colony, or dependency of Great Britain. Its object was to wrest the carrying trade of Europe from the Dutch, into whose hands it had at that time fallen.

nation, or limit as to time, no other power complained of it, and the foreign government most affected by it, and against whose interest it was most immediately directed, declared to our government, that as a municipal regulation, foreign states had no concern with it, and that the British government did not conceive that they had the right, or the pretension to make any complaint of it, and that they had made none.\*

The above extracts require no comment. Had they been written with the present case expressly in view, they could not have had a more pointed application to it. It therefore does not follow that "the Chinese government in prohibiting intercourse with other nations, refuses to observe the principles of international law, that those nations are under no obligation to observe those laws towards it." Had China violated a treaty, voluntarily entered into with Great Britain, then the latter *might* be no longer bound by the obligations contained therein, the reasons for which they were assumed existing no longer. But international law, except so far as it is matter of treaty, is the voice of reason and immutable justice, being founded in the nature of things, independent of every other consideration. It is, therefore, unchangeable, and the obligations that arise from it necessary and indispensable. A man robs or steals from another, does this release him from all obligation to observe the laws of his country; and may he rob and steal from the transgressor in return?

Should China then, should every government on the face of the globe, violate the law of nations—that law would yet be binding with all its force upon England—still she must be just; and to extort a treaty from an unoffending nation, by a demonstration of force, would be an act of injustice, of which we trust she will not be guilty.

All the Saxon blood in America rose in rebellion against the tea-tax, and the stationing of a regiment of soldiers in New-

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\* Kent's Comm. Vol. 1. page 32—3.

England. Yet which is the greater encroachment upon right, for a nation to impose a paltry duty upon a single article, imported into her own colonies, or with a demonstration of force to demand of a free and independent nation, a commercial treaty, to insist on a fixed tariff, and the admission of foreign vessels into her own ports?

As to the consequences favourable to Christianity, to be expected from a more extensive intercourse with China, we have only to remark that even this object can never justify the use of force against right—nor can authority for the use of stratagem or violence be any where derived from the example of the “Prince of Peace.” The only armour of those who are commissioned by him to preach the gospel to every creature, must be the sword of the spirit. The means of intimidation and violence are retained in the possession of him, in whose hand are the hearts of princes and, people, to turn them whithersoever he will. They may not be entrusted to frail, revengeful man, and the design of extending a religion through their instrumentality, is more worthy of the followers of Mahomet, or the Roman propagandists, than of English or American protestants.

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#### ARTICLE IV.

#### A VISIT TO THE COUNT DE SELLON, FOUNDER AND PRESIDENT OF THE GENEVA PEACE SOCIETY.

[THE following communication has been politely furnished us, by Henry Barnard, Esq., who in recently making the tour of Europe, visited the distinguished personage to whom it refers.—ED. ADVOCATE.]

GENEVA, (Switzerland,) September 20th, 1835.

I HAVE remained another day at Geneva, that I might accept the Count de Sellon's invitation to visit him at his country seat—a few miles out of the city. I am glad I have done so;